

3/15/05  
FINAL

U. S. BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

ROANOKE CALENDAR - March 15, 2005

(The Honorable Ross W. Krumm Presiding)

(Start \_\_\_\_\_ Recess \_\_\_\_\_ / \_\_\_\_\_ Stop \_\_\_\_\_ Trials: \_\_\_\_\_ Proceedings: \_\_\_\_\_)

Attys: Debtors: Case Nos.: Trustees:  
**10:00 A.M.**

M. Hart MARLENE FRAZIER-CH13 7-04-01860 Connelly/SJ  
Trustee Motion Dismiss or Convert *cont fr 12/14, #32*  
  
Motion for Relief: DaimlerChrysler (Higgs) v. Debtor and Trustee (*Response by Debtor*)  
(*Cont fr 11/9 & 12/14; #48*)  
#35, 38

Fleish. SCOTT NEWBURY 01-02678 Vogel/GR  
Application for trustee compensation filed 1/12 #58, 62  
***-Report of No Objections filed 3/10; Order on fee 3/11***  
  
Application for atty for trustee compensation filed 1/12 #59, 63  
***-Report of No Objections filed 3/10; Order on fee 3/11***

Shankman MARY PATTON 04-74702 Creasy/S  
Objection to debtor's claim of exemptions filed 1/25 #8  
***-Order of 3/2 granted motion to withdraw obj***

Krippend. ERVIN & LYNDAL WALKER 04-75021 Vogel/SO  
Objection of Trustee to debtors' claim of exemptions filed 1/20; #11

Moses LAURA NEICE 04-3245 Creasy/JJ  
Motion of Trustee to Extend time to Object to Discharge filed 1/30; #19, 20  
***-Report of No Objections filed 3/11; Ord self-executing***

Delafield JACKIE & HOLLY LUCAS 04-74786 Krippend/GR  
707(b) Motion of U. S. Trustee to Dismiss Case filed 2/16; # 15, 16 (Guzinski)

Magee FRANCES LEIGHTON 04-2066 Creasy/SL  
Motion of Trustee to Extend time to Object to Discharge filed 1/31; # 33, 34  
***-Order of 2/17 withdrew motion***

RWK 3/15; 10:00 am

Shankman      KENNETH PEERY      04-74692      Creasy/NS  
Amended Objection of Trustee to Debtor's Claim of Exemptions filed 2/2; # 14

Krippend.      RANDY MEADOR      04-74129      Vogel/VS  
Motion of Trustee to sell free & Clear of liens filed 2/2; # 30, 31

Shelor      MICHAEL & JANICE ASBURY      04-74039      Vogel/AF  
Motion to sell free & Clear of liens by Trustee, Geo. Vogel, filed 2/2; # 33, 34  
Response filed 2/14, #37, by Branch Banking & Trust (D.Kirkpatrick)  
Response re-filed 2/14; # 37, to attach list of creditors served

Motion for Relief - filed 2/14; # 39, 40, 41,44 by Branch Banking & Trust  
(D.Kirkpatrick)  
Response filed 2/18; # 47

Motion for Relief - filed 11/17; # 14, by CitiMortgage Inc (Higgs) see also #14 & #31  
Answer of Debtors filed 12/6; #21  
Response of Trustee (Vogel) filed 12/8 # 22 all contd from 2/15

Farthing      TODD AND DIANE WALDRON      04-74645      Creasy/JJ  
Motion of Trustee to extend issuance of Discharge filed 2/3; # 8, 10  
***-Report of no Objections filed 3/11; Order self-executing;***

Delafield      GARY & MELINDA PERDUE      04-3981      Connelly/GR  
Motion for Relief filed 11/18; # 16, 17, Citifinancial (Zimm/Heubschman) - *contd*  
*from 2/15 for further hearing IF pmts current by 2/25; stay will be lifted if not*

Krippend.      ROBERT & SUZANNE STAGER      04-3788      Vogel/NS  
Motion for Relief filed 1/20; # 25 to 29: Aurora Loan Services (Jaffe)  
Response of Trustee (Vogel) filed 1/27; # 30  
esponse of Debtors filed 1/31; # 31 – all contd from 2/15

RWK 3/15; 10:00 am

Jamison	ANTHONY & SELENA LILLY Motion for Relief - filed 2/17; # 89, 10, 11, 12, by Farm Credit of the Virginias, ACA (Foster) <u>Response filed 2/25; # 15</u>	04-75060	Vogel/SJ
P Brown	DANIEL CALLOWAY JR Motion of U. S. Trustee to Dismiss case for substantial abuse filed 2/24; # 22 (Cosby)	04-3917	Vogel/LM
E Moses	DAVID & APRIL SALVAT Motion of Debtors for Authority to Redeem Personal Property upon which Centrix Financial LLC holds lien and for Approval of Associated Financing and Attorney Fees	04-74997	Vogel/NS
Whitehurst	JON & BONNIE WEGRZYN Application for Compensation of Mary Wright, Realtor, filed by Trustee on 2/24; # 36, 37, 38	04-1276	Krippend/SL
Delafield	EDWARD & ETHEL WILHELM Motion to Avoid lien of Citifinancial Services Inc. Filed 2/22; # 8, 9	05-70283	Allen/GR
Gardner	MATTHEW SCHALL Motion of Trustee for Extension of time filed 2/3; # 23 <b><i>-Report of No Objs filed 3/11; Ord self-executing</i></b>	04-3247	Creasy/JJ
Montgomery	WAYNE & BECKY AKERS AP 04-07113: Recover Money or Property Evelyn Krippendorf (Krippendorf) v. Debtors	03-2868	Krippend/SL

**11:00 A.M.**

Palmer	WILLIAM & DEBORAH SMITH Motion for Relief - filed 2/18; # 69, by Vanderbilt Mortgage & Finance (Maxwell) – <i>contd from 3/15</i>	04-74216	Connelly/LM
Bowman	DWAYNE & DEBORAH BISHOP Plan <b>Objs:</b> WFS Financial (Epps); Fairbanks Capital (Bierman) and Trustee’s Obj & Motion to Dismiss/convert, <i>contd from 12/15 &amp; 2/15</i>  Motion of Debtor filed 12/17; # 48, to extend time to meet requirements stated in court – <i>contd from 2/15</i>	04-1207	Connelly/JM
Janney	HAROLD HILL, JR. Motion to dismiss case filed by Trustee 1/12 #52	03-01602	Connelly/S
P Brown	WILLIAM & PENNY LONG Motion to dismiss case filed by Trustee 1/14, #49	03-3358	Connelly/SJ
T Giles	CARL & DONNA SPENCER Motion of Trustee to dismiss or convert filed 1/26; #35 – <i>contd from 3/15</i>	02-2230	Connelly/AF
M Hart	SHIRLEY SPROUSE Motion of Trustee to Dismiss case filed 1/25; #30  Motion of Debtor v. Selective Portfolio Servicing et al: Sell Property free & clear of liens (905 Delaware St., Salem VA ) filed 1/25; # 31 - <i>contd from 3/10</i>	0-4-2646	Connelly/JJ
M Hart	JAMIE & CHRISTINA HALE Motion of Trustee to Dismiss case filed 1/25; #24 <b>-Order of 2/1 withdrew motion</b>	04-3088	Connelly/NS

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M Giles	REGINA FLEMING Motion of Trustee to dismiss case filed 1/25; #52	02-3088	Connelly/NS
Krippend.	ALBERT & APRIL HOUSE Motion of Trustee to Dismiss case filed 1/25; #71	01-1087	Connelly/GR
Delafield	LISA LACKEY Motion of Trustee to Dismiss case filed 1/19; #35	03-4447	Connelly/ JJ
W Smith	ROBERT & PATRICIA STRATTON Motion of Trustee to Dismiss case filed 1/19; #49	03-4987	Connelly/GR
M Hart	DARRELL HOLLINS Motion of Trustee to Dismiss case filed 1/19; #52	00-4235	Connelly/AF
Delafield	LAWRENCE & KATHLEEN WHITE Motion of Trustee to Dismiss case filed 1/14; #25	03-2740	Connelly/AF
P Brown	JOYCE BRADFORD Motion of Trustee to Dismiss case filed 1/26; #33	03-2843	Connelly/JJ

M Giles	ROBERT HESS SR Motion of Trustee to Dismiss case filed 1/26; #27	02-4696	Connelly/NS
M Hart	RUSSELL BARTON Motion of Trustee to Dismiss Case filed 1/28 #55	04-295	Connelly/NS
Taylor (Gibson)	JOHN PRITCHETT dba Pritchett Enterprises Motion of Trustee to Dismiss case filed 1/28; # 20	03-5128	Connelly/AF
M Hart	GEORGE & MILDRED DIVERS Motion of Trustee to Dismiss case filed 1/14; # 45 <i>note: mod plan filed 1/31; set on 3/16 @ 9:00</i>	03-2573	Connelly/SL
Krippend.	JAMES & NANCY CASSELL Motion of Trustee to Dismiss case filed 2/1; # 31 <u>Response to Motion filed 3/7; # 32</u>  <b><i>Motion for Hardship discharge filed 3/9 - noticed by counsel for 3/15 – Clerk's office must notice hardship discharge in standard form that provides deadline 40 days from issuance of notice for creditors to file objections to discharge/dischargeability with hearing set thereafter. Hearing will be 5/11 @ 11</i></b>	01-588	Connelly/NS
M Hart	LATISHA THOMPSON Motion of Trustee to Dismiss case filed 1/31; # 35	01-3047	Connelly/JJ
Krippend.	LISA LINTON Motion of Trustee to Dismiss case filed 1/19; # 77 <u>Response to Motion filed 2/9; # 78</u>	00-01766	Connelly/SL

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M Hileman	RONALD & SHANAN BARKER Motion of Trustee to Dismiss case filed 2/15; # 40	04-1202	Connelly/S
M Hart	CYNTHIA LEE Motion of Trustee to Dismiss case filed 2/15; # 39 – <i>contd from 3/15</i>	03-1800	Connelly/S
Krippend	DARRELL & TRESSIE MITCHELL-CH7 A/P 04-07132: Det. Validity, Priority, Extent of Lien Debtors v. UVA Health Services Foundation <i>contd from 3/15 only as to Anthem -- all other defendants in default</i>	7-03-04361	Creasy/SJ
Hutchinson	TERRY SHEILA DURHAM <i>Recusal of Abingdon Stone Case to Judge Krumm:</i> Motion for Relief filed 2/22; # 6 to 10, by Branch Banking & Trust Company (Deborah Kirkpatrick)	05-70481	Wick/GR
Magee	TIMOTHY & PATRICIA WRAY Response of Trustee (Connelly) in Opposition to Motion of Debtor to Dismiss without Prejudice and Trustee's Alternative Request fir Entry of Order Re-Converting to Ch 7 filed 2/24;#40, – <b><i>Motion of Debtor scheduled 3/16 @ 2:00 - Response will be heard 3/16 with motion</i></b>	04-74193	Connelly/NS
McLean	GREGG KUHN-CH11 STATUS hearing #14 – <b>CONSOLIDATED W/:</b> >>  <b><u>2:00 P. M.</u></b>	04-74426	DIP/VS
Magee McLean	KGG, INC (04-74550) GREG KUHN (04-74426) <b><i>consolidated with KGG 04-744506</i></b> STATUS hearing #18 (KGG case) - <i>contd fr 3/15</i> STATUS hearing #14 (Kuhn case) “ ”  1 <sup>st</sup> Interim Application of Jonathan Rogers, PC, Special Domestic Relations Counsel, for Compensation and Expenses filed 3/1; # 174 w/motion to shorten notice # 176 , 177	04-74550	DIP/JJ

**Obj:** filed by Teresa Hancock 3/13; # 187 (Scott) - *contd from 3/15*

Application for Administrative Expenses of additional \$5,000 retainer for Jonathan Rogers, Special Domestic Relations Counsel, filed 3/2; # 175 w/motion to shorten notice #176, 177 – *contd from 3/15*

Debtor Motion to Extend Exclusivity Period to file Plan and Disclosure Stmt filed 2/25; # 171, with Motion to Shorten Notice, # 172; & Notice # 173

**Obj:** Teresa Hancock filed 3/13; # 186 (Scott) - *contd from 3/15*

IRS Motion to Compel filing of tax returns filed 2/17; # 163, w/Brief #164, and Ntc #165

A/P 04-07143 : Declaratory Judgment – *contd from 2/10*

Debtor v. Burnt Chimney Properties, Inc.(Beck)

Certificate of service 12/22 #9; Answer 1/11; #11

Motion for Relief: Burnt Chimney Properties (Grimes) filed 1/4; #83

Notice of Hearing filed 1/6; #96, P-Hrg Ord #99 & #100

*Respondent certif. Filed 1/20 #125; Movant certification filed 1/20; #131*

Response to Motion filed by debtor 1/20; #126

Brief in Opposition to Relief /In support of Debtor's Motion for Judgment on the Pleading and Motion to Dismiss filed 1/20; #127

Reply to motion filed 2/4; # 146, by debtor (Grimes)

*–contd from 2/10*

Application for Compensation (Interim) by George A. McLean, Jr., Counsel for Gregg Karl Kuhn, Debtor, filed 2/21 #170

**2:00 P. M.**

Beck

P.A. PLYMOUTH I NC

03-3350

DIP/JJ

Order of 1/12, #363, approved Discl. Stmt , scheduled Hearing on Confirmation of Amended Plan filed 10/21; # 292

***–Ord to be tendered to re-schedule hearing; failure to make service***